

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) RKG Sports LLC 811 E Green Bay Street Shawano, WI 54166, Shawano		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 778025-2017-0328-B1B	
		3. PERMIT/LICENSE NUMBER 339115010E07145	4a. TARGET DATE 9/29/2017
		4b. TARGET HOURS	
5. REQUESTED BY (SIGNATURE, TITLE AND DATE)			
6. ATF OFFICER(S) ASSIGNED Debra TAYLOR - Lead Investigator			
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b) (6) Area Supervisor, 05/17/2017			
8. PURPOSE/SPECIAL INSTRUCTIONS Full compliance inspection.			
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC			
NO. OF VIOLATIONS	4	NO. OF REFERRALS	
NO. OF TECS CHECKS	2	NO. OF TECS HITS	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES	2111 - PER DIEM
		\$ VALUE OF TAX DECREASES	2112 - P.O.A.
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS	2113 - COMM. AIR
NO. OF CLAIMS		\$ VALUE OF CLAIMS	2114 - RENTAL CAR
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED	2115 - GPV EXPENSES
			2116 - MISC.
			TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b) (6) Industry Operations Investigator Submitted on: 09/29/2017 Viols WL ONLY and No Recall Inspection			
12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b) (6)	
JUN 2017	3.0		
AUG 2017	34.00		
SEP 2017	13.00		
ATF OFFICER'S SUBTOTAL	50.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS		50.00	
13. REVIEW AND ROUTING			
REVIEW COMMENTS AND RECOMMENDATION Viols WL ONLY and No Recall Inspection			
<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> SEE COMMENTS <input checked="" type="checkbox"/> FINAL DISPOSITION			
SIGNATURE AND TITLE (b) (6) Area Supervisor		REVIEW DATE 09/29/2017	

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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor	Street Address	City	State	ZIP Code	County	Page 1 of 1
RKG Sports LLC	811 E Green Bay Street	Shawano	WI	54166	Shawano	1 Pages
License/Permit/Registry Number (if any)	Expiration Date	Date(s) or Period of Inspection				
3-39-115-01-0E-07145	05/01/2020	8/28/16 - 8/28/17				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (if not corrected immediately)	Date Corrections to be Made (if not corrected immediately)
1	27 CFR 478.125(e)	The licensee failed to make complete and correct entries in the Acquisition and Disposition Record as follows: (b)(3)- Public Law 112-55 (125 Stat. 552) Firearms were untimely entered into the A & D book and (b)(3)- Public Law 112-55 (125 Stat. 552) pair firearms were not logged into the A & D book and (b)(3)- Public Law 112-55 (125 Stat. 552) firearms were not timely logged out.	The licensee stated they were not aware repair firearms needed to be logged into the A & D record. IOI (b)(6) and the licensee correct the A & D records by starting a new A & D log for repair firearms. The (b)(3)- Public Law 112-55 (125 Stat. 552) firearms were logged out of the A & D book. The owner will insure all firearms are timely logged out of the A & D record.	
2	27 CFR 478.102a	(b)(3)- Public Law 112-55 (125 Stat. 552) Consignment firearms were returned to their owners with no background check.	The licensee stated they were not aware consignment firearms returned to the individual who consigned them require a background check. No corrective action occurred since the firearms had been delivered to non-licensees. IOI (b)(6) advised the licensee to complete the background check as required by the regulations.	

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

Signature of Proprietor: [Signature] Owner

Signature of Investigator: [Signature] Investigator

Copy 1 - Proprietor's Copy

Date

9-29-17

Date

9-29-17

ATF 1-4 (Rev. 3-0-0)
Revised April 2005

(b)(6)

Report of Violations

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Name of Proprietor	Street Address	City	State	ZIP Code	County	Page <u>2</u> of <u>2</u> Pages
RKG Sports LLC	811 E Green Bay Street	Shawano	WI	54166	Shawano	

License/Permit/Registry Number (if any)	Expiration Date	Date(s) or Period of Inspection
3-39-115-01-0E-07145	05/01/2020	8/28/16 - 8/28/17

Inspection Results
An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3	27 CFR 478.126a	The licensee failed to ensure a Report of Multiple Sale (ATF Form 3310.4) for handgun ^{(b)(3)-Public Law 112-55 (125 Stat. 552)} transactions involving ^{(b)(3)-Public Law 112-55 (125 Stat. 552)} firearms, when a buyer purchased more than one handgun within a five day period.	The licensee completed Report of Multiple Sale (ATF Form 3310.4) forms and emailed them to the tracing center. All employees have been trained to ensure the forms are being prepared and submitted timely.	
4	27 CFR 478.124a	^{(b)(3)-Public Law 112-55 (125 Stat. 552)} Consignment firearms were returned to their owners with no ATF 4473 forms completed.	The licensee stated they were not aware consignment firearms returned to the individual who consigned them require a completed ATF 4473 form. No corrective action occurred since the firearms had been delivered to non-licensees. IOI ^{(b)(6)} advised the licensees to complete the ATF Form 4473 as required by the regulations.	



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

1000 N. Water Street, Suite 1400
Milwaukee, WI 53202

September 29, 2017

www.atf.gov

778025 (b) (6)
5373

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**RKG Sports LLC
ATTN: John Zahringer
811 E Green Bay Street
Shawano, WI 54166**

FFL # 3-39-07145

Dear Mr. Zahringer:

During a recent compliance inspection conducted on August 28 – August 30, 2017, at your firearms business covering the period of August 28, 2016, through August 28, 2017, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b) (6). You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

RKG Sports LLC
3-39-07145

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b) (6)

Sincerely yours,

(b) (6)

Area Supervisor
Milwaukee II Field Office

Enclosure

Cc: Federal Firearms Licensing Center
Milwaukee II Field Office

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-0E-07145

Address: 811 E Green Bay Street
Shawano, WI 54166

1 - Introduction

Inspection Profile:

On 8/28/17 an unannounced dealer in firearms compliance inspection was started at the commercial business location of RKG Sports LLC by IO Investigator (b)(6).

Interviewed for the inspection period of 8/28/2016 to 8/28/2017 was Owner and Responsible Person John Zahringer. Mr. Zahringer was identified with Wisconsin Driver's License (b)(6).

This was RKG Sports first compliance inspection. Zoning compliance was verified during the qualification inspection in April 2014.

Business Profile:

RKG Sports LLC conducts dealer to dealer transfers and retail sales of new and used sporting firearms. No firearms are stored off site. Firearms are sold on consignment, transferred at wildlife banquets and repairs take place. No firearms are transferred at gunshows.

At the time of this inspection (b)(4) firearms were in physical inventory. (b)(4) firearms were transferred or sold in the last 12 months.

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-0E-07145

Ownership and Control:

John Zahringer was the only Responsible Person listed on the license. His nephew Brian Zahringer was added 7/5/17 to the license as a responsible person. No others are anticipated to be added.

NCIC/NLETS checks on John Zahringer and Brian Zahringer were negative

Variance:

None on file and none applied for.

2 - Recommendation

Violations Warning Letter only and no recall inspection.

3 - Inspection History

Date and Type of Inspection: 4/8/2014 Qualification Inspection

UI#: 778025-2014-0306-B1B

Inspection Results: Approve original application and issue license.

4 - Acquisition & Disposition (A&D) Record - Inventory

At the time of this inspection 236 business firearms were in inventory. The number of open entries in the A & D record was (b)(3) - 1. It was discovered (b)(3) firearms were untimely entered.

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-OE-07145

(b)(3)-(12) repair firearms were not logged into the A & D book and (b)(3) firearms were not timely logged out. The licensees stated they did not know repair firearms needed to be logged into an A & D book. A new A & D log for repair firearms was started.

The licensees stated they just missed logging the (b)(3) firearms out of the A & D book. ATF 4473 forms were viewed for all untimely dispositions. See Report of Violations.

Licensee acquired (b)(4) firearms and transferred/sold (b)(4) firearms in the last 12 months.

5 - ATF Forms 4473 – NICS & Other Dispositions

Licensee has 506 ATF Forms 4473 on file for the inspection period. All forms were reviewed for accuracy and completeness. No errors or omissions were noted or cited.

It was discovered (b)(3)-(12) consignment firearms were returned to their owners with no background check and no ATF 4473 form completed. The licensees stated they were not aware owners were required to complete an ATF 4473 form and pass a background check prior to getting their consignment firearm returned to them. See Report of Violations.

A request of NTN numbers for this dealer was received on an FFL Audit Report. The information was compared to the licensee's records with no discrepancies noted.

6 – Multiple Sales

It was discovered the licensees failed to prepare a Report of Multiple Sale (ATF Form 3310.4) for handguns in (b)(3) instances involving (b)(3) firearms, when a buyer purchased more than one handgun within a five day period. See Report of Violations.

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

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Trade Name:

FFL#: 3-39-115-01-0E-07145

7 – Suspicious/Prohibited Purchasers

No suspicious or prohibited purchasers noted.

8 – Trace Activity

(b)(3) - (F) traces were completed during the inspection period. No unsuccessful traces occurred.

9 - NFA/Importer/Collector/Manufacturer

Licensee conducts no firearm NFA, collector, manufacturing or Importation activity.

10 - Referrals

No referrals generated.

11 - Other

The business location was found via GPS and is a commercial location.

12 - Closing Actions

On 8/29/17 a closing conference was held with Owner John Zahringer, Brian Zahringer and ATF IO Investigator (b)(6). The 'Acknowledgement of Federal Firearms Regulations' was reviewed with the licensee. John Zahringer signed stating both he and Brian understood

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-OE-07145

everything that was explained to them.

13 - Violations

1. 27 CFR 478.125(e)

Nature of Violation

The licensee failed to make complete and correct entries in the Acquisition and Disposition Record as follows: (b)(3) - 112 Public Law firearms were untimely entered. (b)(3) - 112 Public repair firearms were not logged into the A & D book. (b)(3) - 112 Public firearms were not timely logged out of the A & D book.

Licensee's Response

The licensees stated they were not aware repair firearms needed to be logged into the A & D record.

The licensees said the (b)(3) - 112 Public firearms were just missed when logging firearms out of the A & D book.

Corrective Action

IOI (b)(6) had the licensees start a new A & D log for repair firearms.

IOI (b)(6) had the licensees correct the A & D records by entering the late dispositions in the A & D record. The owners will ensure all firearms are timely logged into and out of the A & D record.

2. 27 CFR 478.102a

Nature of Violation

(b)(3) - 112 Public consignment firearms were returned to their owners with no background check.

Licensee's Response

The licensees stated they were not aware consignment firearms returned to the individual

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Name: RKG Sports LLC

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Trade Name:

FFL#: 3-39-115-01-0E-07145

who cosigned them require a background check.

Corrective Action

No corrective action occurred since the firearms had been delivered to non-licensees. IOI (b)(6) advised the licensees to complete a background check as required by the regulations.

3. 27 CFR 478.126a

Nature of Violation

The licensee failed to prepare a Report of Multiple Sale (ATF Form 3310.4) for handguns in (b)(6) instances involving (b)(6) firearms, when a buyer purchased more than one handgun within a five day period.

Licensee's Response

The licensees stated they just missed completing the Report of Multiple Sale form in these (b)(6) instances.

Corrective Action

IOI (b)(6) advised the licensees to immediately complete the Report of Multiple Sale (ATF Form 3310.4) forms and email them to the tracing center. All employees have been trained to ensure the forms are being prepared and submitted timely.

4. 27 CFR 478.124a

Nature of Violation

(b)(6) consignment firearms were returned to their owners with no ATF 4473 forms completed.

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-OE-07145

Licensee's Response

The licensees stated they were not aware consignment firearms returned to the individual who consigned them required an ATF 4473 form to be completed.

Corrective Action

No corrective action occurred since the firearms had been delivered to non-licensees. IOI (b)(6) advised the licensees to complete an ATF 4473 Form as required by the regulations.

5.

6.

(b)(6)

	IO Investigator	9/29/2017
Signature	Title	Date of Report

Index of Worksheets and Exhibits

Firearms Report

FIREARMS INSPECTION REPORT

Name: RKG Sports LLC

UI#: 778025-2017-0328-B1B

Trade Name:

FFL#: 3-39-115-01-0E-07145

Acknowledgement of Regulations

FLS Printout